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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,748	04/13/2006	Kenichi Nagayama	46969-5439	5122
23973 7590 04/03/2008 DRINKER BIDDLE & REATH ATTN: INTELLECTUAL PROPERTY GROUP ONE LOGAN SQUARE 18TH AND CHERRY STREETS PHILADELPHIA, PA 19103-6996				
EXAMINER HANLEY, BRITT D				
ART UNIT		PAPER NUMBER		
2889				
MAIL DATE		DELIVERY MODE		
04/03/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/575,748

Applicant(s)

NAGAYAMA ET AL.

Examiner

BRITT HANLEY

Art Unit

2889

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3 and 4 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 3 and 4 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 29 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

[01] A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/29/2008 has been entered.

Response to Amendment

[02] Amendment filed on 02/29/2008 has been entered and noted by Examiner. Claims 3 and 4 are pending in the application.

Claim Rejections - 35 USC § 103

[03] The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

[04] The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

[05] Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keisuke *et al.* (JP 2003-045665).

[06] Regarding claim 3 and 4, Keisuke *et al.* disclose an organic electroluminescence display panel comprising a plurality of organic electroluminescence elements (Figure 1), each of the elements comprising first and second display electrodes (2, 8, Figure 1) and at least one of organic function layers (3, 4, 5, 6, 7, Figure 1) including an emission layer (5, Figure 1) comprising an organic compound (see [0013]), the function layers being sandwiched and stacked between the first and second display electrodes (shown in Figure 1), and a substrate (1, Figure 1) supporting the plurality of organic electroluminescence elements (as shown in Figure 1); wherein the organic function layers include at least one common layer (3, Figure 1) that is formed commonly for the plurality of organic electroluminescence elements (Figure 1) and has charge transport properties (conductive polymer, polyaniline or the like -- see [0012]), and the common layer has a gap filling part extending among the plurality of organic electroluminescence elements (fills gap between each pixel -- see [0024]). Keisuke *et al.* do not explicitly appear to disclose the relationships provided in the instant claims.

[07] Keisuke *et al.* disclose an OLED with an electrically conductive polymer on the first electrode and in between pixels as demonstrated above. Further, Keisuke *et al.* disclose that the conductive polymer can be made of polyaniline and have a set resistance in order to control cross talk between on/off pixels ([0026]). Keisuke *et al.* also teach a 20 nm thick layer of polyaniline (see [0030] - [0032]) as the conductive polymer, just as the instant application does in [0111].

[08] Accordingly, at the time the invention was made, it would have been obvious to a person having ordinary skill in the art having the reference of Keisuke *et al.* to provide a sheet resistance of the conductive polymer to a set value in order to control cross talk between pixels. And further, since Keisuke *et al.* disclose the same conductive polymer having the same thickness as the instant application, the conductive polymer layer of Keisuke

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et al. is considered to have the same sheet resistances claimed in claims 3 and 4. Therefore, the conductive polymer of Keisuke et al. will satisfy the claimed relationships in claims 3 and 4.

Response to Arguments

[09] Applicant's arguments with respect to claims 3 and 4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

[10] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Britt Hanley whose telephone number is (571) 270-3042. The examiner can normally be reached on Monday - Thursday, 6:30a-5:00p ET.

[11] If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mihn-Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

[12] Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Britt Hanley/ Examiner, Art Unit 2889	/Karabi Guharay/ Primary Examiner, Art Unit 2889
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